

**House File 2386 - Introduced**

HOUSE FILE 2386  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2102)

**A BILL FOR**

1 An Act relating to school district teaching assignments and  
2 responsibilities, student advancement by a teacher or school  
3 district, and providing for withholding of state aid to  
4 school districts under certain conditions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.9, subsection 52, Code Supplement  
2 2011, is amended to read as follows:

3 52. Establish and maintain a process and a procedure, in  
4 cooperation with the board of educational examiners, to compare  
5 a practitioner's teaching assignment with the license and  
6 endorsements held by the practitioner. The director may report  
7 noncompliance issues identified by this process to the board of  
8 educational examiners pursuant to section 272.15, subsection  
9 3, and may provide for the withholding of state aid to a  
10 school district pursuant to section 257.17 if the department  
11 determines that the school district is in violation of section  
12 279.65, subsection 4 or 5.

13 Sec. 2. Section 257.17, Code 2011, is amended to read as  
14 follows:

15 **257.17 Aid reduction for early school starts.**

16 State aid payments made pursuant to section 257.16 for a  
17 fiscal year shall be reduced by as follows under the following  
18 circumstances:

19 1. By one one-hundred-eightieth for each day of that fiscal  
20 year for which the school district begins school before the  
21 earliest starting date specified in section 279.10, subsection  
22 1. However, this ~~section~~ subsection does not apply to a school  
23 district that has received approval from the director of the  
24 department of education under section 279.10, subsection 4,  
25 to commence classes for regularly established elementary and  
26 secondary schools in advance of the starting date established  
27 in section 279.10, subsection 1.

28 2. By ten percent of the state cost per pupil for each  
29 violation of section 279.65 involving a single student as  
30 determined by the department of education in accordance with  
31 section 256.9, subsection 52.

32 Sec. 3. NEW SECTION. **279.65 Teacher of record — contact**  
33 **hours and endorsements — student advancement.**

34 1. The state board of education shall define the term  
35 "*teacher of record*" by rule. The definition shall provide,

1 at a minimum, that the term identifies the teacher who has  
2 responsibility for providing instruction in grades six  
3 through twelve to a given student for a given subject during  
4 each semester. A student may have more than one teacher of  
5 record if the school district utilizes team teaching in a  
6 given subject or when another teacher provides supplemental  
7 instruction. The state board of education shall determine  
8 under the definition the share of instructional responsibility  
9 to be apportioned to each teacher of a subject or grade level.  
10 The definition shall establish guidelines for determining  
11 whether a teacher of record is a classroom instructor or  
12 provides supplemental education in a subject.

13 2. At least twice annually, a teacher of record and the  
14 teacher's supervisor shall verify and, where appropriate,  
15 correct the roster of students for whom the teacher has been  
16 assigned responsibility. The teacher of record shall have at  
17 least fifty percent of the total contact hours with a given  
18 student in a given subject, except when the coursework is  
19 offered as an online course supervised by an appropriately  
20 licensed teacher.

21 3. A student shall not advance to the next grade level or  
22 the next level of coursework unless the student demonstrates  
23 proficiency by successfully meeting the minimum course  
24 requirements which shall be equally administered for all  
25 students as demonstrated by the teacher of record's published  
26 standards for competency and proficiency for the grade level  
27 or course or by the school district's published standards for  
28 competency and proficiency for the grade level or course.

29 4. a. A practitioner other than the teacher of record shall  
30 not change or modify the course grade assigned to a student by  
31 the teacher of record and recorded in a student's permanent  
32 record.

33 b. The department of education shall include on its internet  
34 site a complaint form by which a teacher of record may file  
35 a complaint with the department regarding a violation of

1 paragraph "a".

2 c. If the department of education determines that a  
3 practitioner changed or modified a student's grade in violation  
4 of paragraph "a", the department shall notify the school  
5 district that the original grade must be restored in the  
6 student's permanent record within thirty days. If the school  
7 district does not comply within the thirty-day time period,  
8 the department shall report the failure to comply to the  
9 board of educational examiners and request that the board  
10 review, in accordance with section 272.2, subsection 4, the  
11 license of the administrator who authorized the violation.  
12 Prior to initiating a licensee disciplinary investigation or  
13 proceeding, or during such an investigation or proceeding, the  
14 practitioner shall be given an opportunity to demonstrate to  
15 the satisfaction of the board that the grade modification was  
16 a good faith error or that there was good cause for the grade  
17 modification.

18 5. A teacher of record, in accordance with section 272.7,  
19 shall hold an endorsement for the type of service for which the  
20 teacher is employed.

21 6. If the department of education determines that a school  
22 district is not in compliance with this section, the department  
23 shall instruct the director of the department of management to  
24 withhold state aid to the school district in accordance with  
25 section 257.17, subsection 2. The department of education  
26 shall direct the department of management to restore the amount  
27 withheld pursuant to this subsection if the department of  
28 education determines that the school district is in compliance  
29 with this section.

30

EXPLANATION

31 This bill establishes requirements relating to teachers who  
32 have the responsibility for providing instruction in grades  
33 6 through 12 to a given student for a given subject during  
34 each semester, and provides for a reduction or withholding of  
35 state aid to a school district if the department of education

1 determines that the school district is in violation of the  
2 requirements set forth in the bill.

3 The bill directs the state board of education to define the  
4 term "teacher of record" by rule. A student may have more  
5 than one teacher of record if the school district utilizes  
6 team teaching. The definition shall determine the share  
7 of instructional responsibility to be apportioned to each  
8 teacher of a subject or grade level and establish guidelines  
9 for determining whether a teacher of record is a classroom  
10 instructor or provides supplemental education in a subject.

11 At least twice annually, a teacher of record and the  
12 teacher's supervisor shall verify and, where appropriate,  
13 correct the roster of students for whom the teacher has been  
14 assigned responsibility. The teacher of record shall have  
15 at least 50 percent of the total contact hours with a given  
16 student in a given subject, except when the coursework is  
17 offered as an online course supervised by an appropriately  
18 licensed teacher.

19 A student shall not advance to the next grade level or  
20 the next level of coursework unless the student demonstrates  
21 proficiency by successfully meeting the minimum course  
22 requirements which shall be equally administered for all  
23 students as demonstrated by the teacher's or the school  
24 district's published standards for competency and proficiency  
25 for the grade level or course.

26 A practitioner other than the teacher of record shall not  
27 change or modify the course grade assigned to a student by the  
28 teacher of record and recorded in a student's permanent record.  
29 The department shall include on its internet site a complaint  
30 form by which a teacher of record may file a complaint with the  
31 department relating to a violation of this requirement. If  
32 the department determines that another practitioner changed or  
33 modified a student's grade, the department shall notify the  
34 school district that the original grade must be restored in  
35 the student's permanent record within 30 days. If the school

1 district does not comply within the 30-day time period, the  
2 department shall report the failure to comply to the board of  
3 educational examiners and request that the board review the  
4 license of the administrator who authorized the violation.  
5 Prior to initiating a licensee disciplinary investigation or  
6 proceeding, or during such an investigation or proceeding, the  
7 practitioner shall be given an opportunity to demonstrate to  
8 the satisfaction of the board that the grade modification was  
9 a good faith error or that there was good cause for the grade  
10 modification.

11 A teacher of record shall hold an endorsement for the type of  
12 service for which the teacher is employed.

13 If the department determines that a school district is  
14 not in compliance with these requirements, the department  
15 shall instruct the director of the department of management to  
16 withhold state aid to the school district, and may direct the  
17 restoration of state aid when the school district is determined  
18 to be in compliance. The bill directs that state aid payments  
19 made pursuant to Code section 257.16 for a fiscal year shall  
20 be reduced by 10 percent of the state cost per pupil for each  
21 violation involving a single student as determined by the  
22 department.